

THREE AFFILIATED TRIBES
TRIBAL BUSINESS COUNCIL
TRIBAL CHAMBERS

Special Council Meeting
November 29, 1991

PRESENT: Wilbur D. Wilkinson, Chairman; Titus Hall, Vice
Chairman; John J. Rabbithead, Jr., Secretary,
Roger Bird Bear, Treasurer; Austin Gillette,
Councilmember; Jim Mossett, Councilmember; Theodore
Lone Fight, III., Councilmember and LaVerne Brady,
Recording Secretary.

ABSENT: None

OTHERS: Dennis Burr, Chief Executive Officer; Marcus Wells,
Comptroller; Gilbert and Josephine White Owl.

ITEM 01: CALL TO ORDER:
Meeting called to order at 2:33 PM.

ITEM 02: ROLL CALL:
Roll called by Secretary Rabbithead.
Quorum established.

ITEM 03: RESOLUTION/NORTHEAST QUADRANT: Resolution #91-174.
Resolution read by Secretary Rabbithead. This
authorizes application to BIA for Attorney Fees.

Discussion: Question was brought up regarding liti-
gation. Response was it involves research and dis-
covery. Resolution to be amended on 4th whereas to
read "through court litigation, if necessary, and;"

It was mentioned if information on this issue that
in 1981, the Tribe accepted the accounting claim.
Our attorneys were asked the same questions regar-
ding the oil and gas rights. They responded by
saying in 1910, the only known mineral was coal,
therefore they reserved only a part of the area
of coal and in there, at the same time, there is
a letter that the Tribal Business Council in 1950's
stated that they cannot prove the government did
not reserve oil and gas for the Three Tribes.

Chairman Wilkinson stated the challenge would be on
the methodology that was applied on the reservation
of minerals. The research would entail, did they
reserve oil and gas minerals in other parts of the
nation and yet not on Fort Berthold.

NE QUADRANT RESOLUTION (CON'T):

Other suggestions made to add and deletions to resolutions made, however, it was stated this doesn't authorize the filing of a lawsuit but prepares for one.

Chairman Wilkinson entertained motion for approval.

Vice Chairman Hall made a motion for approval, seconded by Secretary Rabbithead.

Vote: 7 for, 0 opposed. Motion Carried.

- ITEM 04: RESOLUTION/FORECLOSURE: Resolution #91-175-JJR. Chairman Wilkinson stated this resolution should read on behalf of Dennis Snow. Resolution read by Secretary Rabbithead.

Question regarding what type of foreclosures? It was stated the intent of the resolution is for those that are being foreclosed on. The Economic Development Team will be meeting with FMHA Manager, David Hilleran on Monday morning/8:00 AM for those those that we can assist administratively but unfortunately there's some that action has been taken that we need to deal with. Discussion on foreclosed land to be purchased by the Tribe. It was mentioned we have directed Mr. Morgan to prepare the necessary documents on these land acquisition funds with FMHA.

Chairman Wilkinson entertained a motion to approve.

Treasurer Bird Bear made a motion to approve, seconded by Vice Chairman Hall.

Vote: 7 for, 0 opposed. Motion Carried.

- ITEM 05: FINANCIAL ASSISTANCE/AMATEUR ATHLETICS UNION REQUEST Letter read by Secretary Rabbithead. This is a request from six students who are going to the National Cross Country Meet in Birmingham AL on December 7, 1991. They are requesting for financial assistance to defray their expenses at \$100.00 per student. The runners are Fred Hale, Manny Shepherd, Dion Standish, Gordon White Owl, McKenzie Wounded Face and Marty Young Bear.

It was suggested that the Council should help these students since it is a non-school function and the

FINANCIAL ASSISTANCE (CON'T):
school would not pay for it.

There was a question if the school has supported any non-school functions in the past? Gilbert White Owl, on behalf of the runners, responded by saying the school had no obligation to support the amateur athletics.

It was mentioned that Mr. Lone Fight, School Superintendent was contacted regarding this issue, on if the school could defray these expenses with some type of grant and the response was yes and the information was relayed to the Treasurer of the Tribal Business Council. Mr. Lone Fight further stated the school board already met the night before and wouldn't meet again until December 10 but it would need their approval so this is made as a point of record.

Councilman Gillette made a motion to approve for the amount requested but the Tribe be reimbursed from the School district if the funds are available after the school board meets, seconded by Councilman Lone Fight.

Chairman Wilkinson acknowledges motion and second.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 06: RESOLUTION/REDISTRICTING: Resolution #91-176-JJR. Resolution read by Secretary Rabbithead. It was stated the purpose of this resolution is a follow-up to the proposal by the Three Affiliated Tribes. One was to put us into the Legislative district, also to establish a subdistrict for the Fort Berthold Reservation for a house seat. The plan proposed by the State of ND must also meet the test of passing or addressing past racial discrimination that occurred. The reason we felt it was necessary is because there is millions of federal dollars that flows into the State of ND. By having an elected person or an opportunity to elect a person from the Three Affiliated Tribes to be involved in the House of Representatives is crucial and this person would convey our thoughts, our issues, our position and State matters.

REDISTRICTING RESOLUTION (CON'T):

It was mentioned this Legislative district takes effect December 1 and we should check it out, if we did get shortchanged and if there's grounds for a lawsuit, so be it.

Corrections needed to be made were on 6th whereas: Legislative to Legislation-7th whereas: Legislative to Legislature and addition to include other boundaries like telephone cooperatives such as in Twin Buttes. Due to two telephone cooperatives, phone calls are long distance. Also New Town and Parshall shouldn't be long distance either.

On second page, change should read after pursue against the State of ND, "on this and other issues"

Chairman Wilkinson entertained a motion to approve.

Vice Chairman Hall made a motion to approve, seconded by Secretary Rabbithead.

Vote: 6 for, 1 opposed. Motion Carried.

ITEM 07: RESOLUTION/DEVELOPMENT OF MINERALS: Res. #91-177. Resolution read by Secretary Rabbithead. This resolution authorizes Chairman Wilkinson to meet with Pete Aguilar and other Personnel of the Division of Energy and Mineral Resources to contract the function of this division.

It was mentioned that a referendum involving realty was passed in 1989.

Changes on 5th whereas to delete "desires" to reword "through public law 93-638".

Chairman Wilkinson entertained motion to approve.

Councilman Lone Fight made a motion to approve, seconded by Vice Chairman Hall.

Vote: 6 for, 1 opposed. Motion Carried.

ITEM 08: RESOLUTION/LCM BOARD OF DIRECTORS: Res. #91-178. Resolution read by Secretary Rabbithead.

The purpose of this resolution is we are trying to get LCM-SBM certified.

LCM RESOLUTION (CON'T):
Chairman Wilkinson entertained motion to approve.

Vice Chairman Hall made a motion to approve,
seconded by Secretary Rabbithead.

Discussion: Was there any alternatives by anyone?

Vote: 4 for, 0 opposed, 3 not voting.
Motion Carried.

ITEM 09: RESOLUTION/TRIBAL COURT TO EXERCISE JURISDICTION:
Resolution #91-179-JJR. Resolution read by
Secretary Rabbithead.

Question on what's the issue that brought this
resolution up? Elmarie Conklin called into the
meeting to explain.

Elmarie stated this case is concerning a non-Indian
married to a enrolled member who were involved in a
car accident in the boundaries of the Fort Berthold
Reservation. This couple is suing a Insurance CO.

Another non Indian ran into this woman's vehicle
and she filed suit in Tribal Court because of her
children who are Indians. The Insurance Company
and the other party are saying Tribal Court does
not have any jurisdiction over them and we're
saying the Court has jurisdiction.

Chairman Wilkinson entertained motion to approve.

Vice Chairman Hall made a motion to approve, secon-
ded by Councilman Gillette.

Discussion: It happened on Highway 8. They are not
disputing that but the only thing is, they are all
non-Indians except for the children so we're saying
our court hasn't limited itself in jurisdiction.

Vote: 5 for, 0 opposed, 2 not voting.
Motion Carried.

ITEM 10: 1989/1990 AUDITS:
Marcus Wells, Comptroller stated he has prepared
letters for Chairman Wilkinson's signature regard-
ing support of Indirect Cost.

AUDITS (CON'T):

Treasurer Bird Bear and himself met with the Auditors some time ago. He reported on proposal regarding computers.

ITEM 11: FINANCIAL REQUESTS FOR EDUCATION OF ENROLLED MEMBERS: Clarice Big Back and Maynard Demaray.

Treasurer Bird Bear was out of the meeting so discussion was on Councilmen who were interested in attending the NCAI Conference in San Francisco. The following Councilmen will be attending: Austin Gillette, Jim Mossett, Theodore Lone Fight, III and Titus Hall.

Back to financial requests: Treasurer Bird Bear stated we could go with '92 but we get the money from the Education contracts.

Clarice Big Back is requesting for \$1,000.00. Councilman Lone Fight made a motion to approve \$1,000.00 for Clarice, seconded by Treasurer Bird Bear.

Discussion: It was mentioned Clarice was going to graduate school. If we get monies from '92. We are going to hurt these undergraduates worse. Treasurer Bird Bear stated we are not utilizing our graduate program.

It was mentioned to amend this motion to take this out of T-2.

Vote: 4 for, 2 opposed, 1 not voting.
Motion Carried.

Maynard Demaray is requesting for \$1,500.00.

Councilman Lone Fight made a motion to approve \$1,500.00 for Maynard, seconded by Treasurer Bird Bear.

Discussion: It was mentioned that this will set a bad deal for us if there is no grounds to turn all future requests down.

Vote: 4 for, 2 opposed, 1 not voting.
Motion Carried.

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ITEM 12: ADJOURNMENT:
Meeting adjourned at 3:32 PM.

Approved

John J. Rabbithead, Jr.
Secretary, John J. Rabbithead, Jr.

Disapproved

12/3/91
Date

ATTEST:

Wilbur D. Wilkinson
Chairman, Wilbur D. Wilkinson

12/3/91
Date